

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2006-052782

08/16/2007

JUDGE PRO TEM STEPHEN KUPISZEWSKI
FOR HONORABLE EDDWARD BALLINGER,
JR.

CLERK OF THE COURT
L. Nevenhoven
Deputy

ATLAS NO. 000374111403
IN RE THE MARRIAGE OF
RHETT A SHAFFER

RHETT A SHAFFER
PO BOX 60575
PHOENIX AZ 85082-0575

AND

CINDY BETH POTTER

CINDY BETH POTTER
2936 W KEIM DRIVE
PHOENIX AZ 85017

JOHN G SCHAUS
4435 E BROADWAY STE 3
MESA AZ 85206
AG-CHILD SUPPORT-WEST VALLEY
OFFICE
DOCKET - NE
FAMILY COURT SERVICES-CCC
OFFICE OF PUBLIC DEFENSE
SERVICES-CCC

DECREE OF DISSOLUTION OF MARRIAGE

Courtroom 112 - Northeast Regional Court Center

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9:35 a.m. This is the time set for Trial/Evidentiary Hearing. Petitioner is present on his own behalf. Respondent is present on her own behalf. Best Interests Attorney, John G. Schaus is also present, representing the minor child.

A recording of this proceeding is being made by CD (FTR) in lieu of a court reporter.

Discussion is held.

Rhett Shaffer and Cindy Potter are sworn and testify.

The Court is advised that the parties have reached full agreement on the issues, which agreement is more fully set forth in the Parenting Plan Agreement presented by Mr. Schaus signed by the parties and the Court August 16, 2007 and filed by the clerk August 16, 2007.

The parties both testify that they have heard and understood the agreement as set forth in the above mentioned Parenting Plan Agreement and that this is, in fact, their agreement.

THE COURT FINDS that the agreement entered into between the parties is not unfair, and is reasonable, and is in the best interests of the parties' minor child[ren].

IT IS ORDERED approving the agreement of the parties as a binding agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*.

Jurisdictional testimony is provided by Rhett Shaffer and agreed to by Cindy Potter.

Based upon the testimony presented, the court makes the following findings and orders:

THE COURT FINDS that at least one of the parties has been domiciled in the State of Arizona for more than 90 days immediately preceding the filing of the Petition; that the conciliation provisions of A.R.S. § 25-381.09, and the domestic relations education provisions of A.R.S. §25-352 either do not apply or have been met; that the marriage is irretrievably broken and there is no reasonable prospect for reconciliation.

To the extent it has jurisdiction to do so, the Court has considered and made provisions for maintenance and disposition of property, and, where applicable, support, custody and visitation.

IT IS ORDERED that the marriage heretofore existing between the parties is dissolved, and each party is returned to the status of a single person effective upon the signing and entry of this Decree.

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IT IS FURTHER ORDERED awarding to Husband as his sole and separate property, subject to any liens or encumbrances thereon, his entire 401K plan, all vehicles, household furniture, furnishings and appliances, and other personal property currently in his possession.

IT IS FURTHER ORDERED awarding to Wife as her sole and separate property, subject to any liens or encumbrances thereon, all vehicles, household furniture, furnishings and appliances, and other personal property currently in her possession.

IT IS FURTHER ORDERED that Husband shall pay and hold Wife harmless from the debts owing to the Household (Union Plus Credit), the Provident/Washington Mutual, and the Arizona Federal Credit Union credit cards.

IT IS FURTHER ORDERED that each party shall pay any debt incurred by him or her respectively since the date of the parties' separation.

IT IS FURTHER ORDERED that any debt incurred by the parties during the marriage not disclosed or otherwise assigned herein is the responsibility of the party incurring the debt and he/she shall hold the other party harmless from such debt.

Upon request of Wife,

IT IS ORDERED restoring Wife to her former name of Cindy Beth Potter, born April 8, 1973.

THE COURT FINDS that the neither part has the ability to pay for the Best Interests Attorney.

IT IS FURTHER ORDERED finding the parties indigent and unable to afford the fees and costs of the Best Interests Attorney. The Best Interests Attorney shall be paid pursuant to the contract he has with the County.

IT IS FURTHER ORDERED affirming the appointment of John Schaus as the Best Interests Attorney for the minor child in this matter until the review hearing set herein.

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IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

/ s / JUDGE PRO TEM STEPHEN KUPISZEWSKI

JUDICIAL OFFICER OF THE SUPERIOR COURT

10:05 a.m. Matter concludes.

LATER:

IT IS FURTHER ORDERED setting Review Hearing regarding parenting time on **January 15, 2008 at 4:30 p.m. (15 minutes allotted)** in this Division at:

Northeast Regional Court Center
18380 North 40th Street
Courtroom 112
Phoenix, Arizona 85032.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.